

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Seki et al.	Examiner:	G. O'Conner
Serial No:	09/863,735	Group:	Art Unit 3627
Filed:	May 23, 2001	Docket:	JA9-2000-0085 (8728-516)
For:	SERVER, INFORMATION COMMUNICATION TERMINAL, PRODUCT SALE MANAGEMENT METHOD, AND STORAGE MEDIUM AND PROGRAM TRANSMISSION APPARATUS THEREFOR		

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Response to Notice of Non-Compliant Amendment

In response to the Notice of Non-Compliant Amendment mailed on November 15, 2006, Applicants re-submit herewith a revised "Listing of Claims" section of the Amendment previously filed on August 18, 2006, to present the claims in proper numerical ascending order and to change the status identifier of claim 1 to "Currently Amended".

Moreover, in response to the Examiner's objection to characterization of the Final Office Action as being premature, Applicants submit the first page of the "Remarks" section on page 7 of the previous Amendment in which the "Withdrawal of Finality" portion is omitted. However, Applicants disagree with the Examiner's assertion that the characterization of any previous Office Action as having been prematurely made final constitutes a "material misrepresentation of the facts of this case" warranting non-entry of any reply which characterizes any Office Action in this manner.

Indeed, it should be noted that the facts of this case speak for themselves, and there is no basis for an Examiner to refuse entry of any reply to an Office Action in which Applicants must challenge the Examiner's rejections or examining procedures to maintain procedural rights.

Respectfully submitted,



Frank V. DeRosa

Reg. No. 43,584

Attorney for Applicants

F. CHAU & ASSOCIATES, LLC
130 Woodbury Road
Woodbury, NY 11797
Telephone: (516) 692-8888
Facsimile: (516) 692-8889